

Bureau of Health Care Quality and Compliance

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>NVS3535HHA</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED  <b>07/06/2010</b>
NAME OF PROVIDER OR SUPPLIER  <b>HEALTHSOUTH HOME HEALTH OF HENDERSON</b>			STREET ADDRESS, CITY, STATE, ZIP CODE <b>10301 JEFFREYS STREET HENDERSON, NV 89052</b>		
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H 00	<p><b>INITIAL COMMENTS</b></p> <p>This Statement of Deficiencies was generated as a result of a State Licensure survey based on the Medicare recertification survey conducted in your facility on July 6, 2010 , in which deficiencies related to Nevada Revised Statutes were identified. This survey was generated in accordance with Nevada Administrative Code, Chapter 449, Home Health Agencies.</p> <p>A Plan of Correction (POC) must be submitted. The POC must relate to the care of all patients and prevent such occurrences in the future. The intended completion dates and the mechanism(s) established to assure ongoing compliance must be included.</p> <p>Monitoring visits may be imposed to ensure on-going compliance with regulatory requirements.</p> <p>The findings and conclusions of any investigation by the Health Division shall not be construed as prohibiting any criminal or civil investigations, actions or other claims for relief that may be available to any party under applicable federal, state or local laws.</p> <p>Twelve employee files were reviewed.</p> <p>The following deficiencies were identified:</p>	H 00			
H139	<p>449.776 Director of Professional Services</p> <p>2. The director of professional services shall:</p> <p>(a) Direct, supervise and coordinate the skilled nursing services and other therapeutic services provided by the agency.</p> <p>(b) Develop and revise written objectives for the care of the patients, policies and procedure</p>	H139			

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TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

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H139	Continued From page 1  manuals. (c) Assist in the development of descriptions of jobs. (d) Assist in the recruitment and selection of personnel. (e) Recommend to the administrator the number and levels of members of the nursing staff. (f) Plan and conduct orientations and continuing education for members of the staff engaged in the care of patients. (g) Evaluate the performance of the nursing staff. (h) Assist in planning and budgeting for the provision of services. (i) Assist in establishing criteria for the admission and discharge of patients. This Regulation is not met as evidenced by: Based on personnel file review and policy review, the agency failed to provide yearly performance evaluations of staff for 7 of 12 employee files sampled. (Employees #3, #4, #6, #7, #8, #9 and #10)  1. Personnel file review revealed lack of documented evidence of performance evaluations for Employees #3, #4, #6, #7, #8, #9 and #10.  Scope: 2 Severity: 2	H139			
H152	449.782 Personnel Policies  A home health agency shall establish written policies concerning the qualification, responsibilities and conditions of employment for each type of personnel, including licensure if required by law. The written policies must be reviewed as needed and made available to the members of the staff and the advisory groups.	H152			

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H152	<p>Continued From page 2</p> <p>The personnel policies must provide for: 6. The maintenance of employee records which confirm that personnel policies are followed; This Regulation is not met as evidenced by: NRS 449.179 Initial and periodic investigations of criminal history of employee or independent contractor of certain agency or facility.</p> <p>1. Except as otherwise provided in subsection 2, within 10 days after hiring an employee or entering into a contract with an independent contractor, the administrator of, or the person licensed to operate, an agency to provide personal care services in the home, an agency to provide nursing in the home, a facility for intermediate care, a facility for skilled nursing or a residential facility for groups shall:</p> <p>(a) Obtain a written statement from the employee or independent contractor stating whether he has been convicted of any crime listed in NRS 449.188 &lt;<a href="http://www.leg.state.nv.us/NRS/NRS-449.html">http://www.leg.state.nv.us/NRS/NRS-449.html</a>&gt;;</p> <p>(b) Obtain an oral and written confirmation of the information contained in the written statement obtained pursuant to paragraph (a);</p> <p>(c) Obtain from the employee or independent contractor two sets of fingerprints and a written authorization to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and</p> <p>(d) Submit to the Central Repository for Nevada Records of Criminal History the fingerprints obtained pursuant to paragraph (c).</p> <p>2. The administrator of, or the person licensed to operate, an agency to provide personal care services in the home, an agency to provide nursing in the home, a facility for intermediate care, a facility for skilled nursing or a residential facility for groups is not required to obtain the information described in subsection 1</p>	H152			

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H152	<p>Continued From page 3</p> <p>from an employee or independent contractor who provides proof that an investigation of his criminal history has been conducted by the Central Repository for Nevada Records of Criminal History within the immediately preceding 6 months and the investigation did not indicate that the employee or independent contractor had been convicted of any crime set forth in NRS 449.188 &lt;<a href="http://www.leg.state.nv.us/NRS/NRS-449.html">http://www.leg.state.nv.us/NRS/NRS-449.html</a>&gt;.</p> <p>3. The administrator of, or the person licensed to operate, an agency to provide personal care services in the home, an agency to provide nursing in the home, a facility for intermediate care, a facility for skilled nursing or a residential facility for groups shall ensure that the criminal history of each employee or independent contractor who works at the agency or facility is investigated at least once every 5 years. The administrator or person shall:</p> <p>(a) If the agency or facility does not have the fingerprints of the employee or independent contractor on file, obtain two sets of fingerprints from the employee or independent contractor;</p> <p>(b) Obtain written authorization from the employee or independent contractor to forward the fingerprints on file or obtained pursuant to paragraph (a) to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and</p> <p>(c) Submit the fingerprints to the Central Repository for Nevada Records of Criminal History.</p> <p>4. Upon receiving fingerprints submitted pursuant to this section, the Central Repository for Nevada Records of Criminal History shall determine whether the employee or independent contractor has been convicted of a crime listed in NRS 449.188</p>	H152			

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H152	<p>Continued From page 4</p> <p>&lt;<a href="http://www.leg.state.nv.us/NRS/NRS-449.html">http://www.leg.state.nv.us/NRS/NRS-449.html</a>&gt; and immediately inform the Health Division and the administrator of, or the person licensed to operate, the agency or facility at which the person works whether the employee or independent contractor has been convicted of such a crime.</p> <p>5. The Central Repository for Nevada Records of Criminal History may impose a fee upon an agency or a facility that submits fingerprints pursuant to this section for the reasonable cost of the investigation. The agency or facility may recover from the employee or independent contractor not more than one-half of the fee imposed by the Central Repository. If the agency or facility requires the employee or independent contractor to pay for any part of the fee imposed by the Central Repository, it shall allow the employee or independent contractor to pay the amount through periodic payments.</p> <p>(Added to NRS by 1997, 442; A 1999, 1946 &lt;<a href="http://www.leg.state.nv.us/Statutes/70th/Stats199912.html">http://www.leg.state.nv.us/Statutes/70th/Stats199912.html</a>&gt;; 2005, 2170 &lt;<a href="http://www.leg.state.nv.us/Statutes/73rd/Stats200521.html">http://www.leg.state.nv.us/Statutes/73rd/Stats200521.html</a>&gt;)</p> <p>Based on record review and staff interview, the agency failed to have employees sign an affidavit of felony conviction as required by statute for 12 of 12 employees. (All Employees )</p> <p>1. Personnel record review revealed that all personnel files lacked documented evidence of an affidavit of felony conviction as required by statute.</p> <p>2. An interview with employees #1 and #2, on 7/2/10 at 11:30 AM revealed that they were unaware of the requirement for the criminal affidavits and five year expiration for fingerprints/criminal clearances.</p>	H152			

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H152	Continued From page 5  Scope: 3 Severity: 2	H152			

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